

REMARKS

This is responsive to the Office Action dated June 30, 2003 in which the Examiner allows claims 8, 13 and 14, but holds the rejections to claims 1, 2 and 4-7 as being anticipated by Ella (U.S. Patent No. 5,910,756) under 35 U.S.C. §102(b). Applicants appreciate the allowance of claims 8, 13 and 14, and have further amended independent claim 1 to overcome the rejections under 35 USC 102(b). The applicants respectfully traverse the rejections to claims 1, 2 and 4-7 based on the amended claims and the following detailed explanation.

In particular, to precisely define the present invention, the applicants have further limited the bandpass filter to generate a passband with two edges, and the notch filter to generates a notch at one or both of the edges of said passband without affecting other portions of said passband generated by said bandpass filter. The applicants believe that amended claim 1 is not anticipated by Ella (US Patent No. 5,910,756). More specifically, the passband generated by the SCF 4 (read as the bandpass filter in claim 1) does not have two edges (as clearly shown in Figure 10f). Moreover, both the series BAW resonator 2 and the shunt BAW resonator 3 (read as the notch filter in claim 1) generate frequency response at the resonant frequency of the SCF 4, thus unavoidably affecting the passband of SCF 4 (as clearly shown in Figures 10g, and described in col. 23, lines 1-44). Therefore, the applicants believe that claim 1, with the above emphasized distinguishing features, is not anticipated by Ella under 35USC §102(b), and is thus patentable. At least for the same reasons, its dependent claims 2 and 4-7 are also believed patentable as each of them includes all the limitations in claim 1.

Applicants therefore respectfully request reconsideration of claims 1, 2 and 4-7 in view of the amendment and the above remarks. The Examiner is authorized to deduct additional fees believed due from our Deposit Account No. 11-0223.

Respectfully submitted,

KAPLAN & GILMAN, L.L.P.



900 Route 9 North
Woodbridge, New Jersey 07095
Telephone (732) 634-7634

Dated: September 23, 2003

~~Jeffrey L. Kaplan~~
(Reg. No. 34,356)

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on September 23, 2003.

Dated September 23, 2003 Signed Fern Pekarofski Print Name Fern Pekarofski

RECEIVED
OCT - 1 2003
TECHNOLOGY CENTER 2800